

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Agricultural Marketing Department – Departmental proceedings against Sri M. Sivaramaiah, Selection Grade Secretary, A.M.C., Guntur under rule 172 of A.P.(AP&LS)Market Rules, 1969 - Article of charges - Issued.

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AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No.1196

Dated:26-09-2008

ORDER:

It is proposed to hold an inquiry against the said Sri M. Sivaramaiah, Selection Grade Secretary, A.M.C., Guntur in accordance with the procedure laid down in Rule 172 of A.P.(AP&LS)Market Rules, 1969.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom the article of charges are proposed to be sustained are also enclosed (Annexure II and III).

3. Sri M. Sivaramaiah, Selection Grade Secretary, A.M.C., Guntur is directed to submit within 15 days of the receipt of this orders, a written statement of his defence.

4. Sri M. Sivaramaiah, Selection Grade Secretary, A.M.C., Guntur is further informed that an inquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri M. Sivaramaiah, Selection Grade Secretary, A.M.C., Guntur is further informed that if he does not submit his written statement of defence on or before the date specified in Para (3) above or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 172 of A.P.(AP&LS)Market Rules, 1969 or the orders/directions issued in pursuance of the said rules, the inquiry authority may hold the inquiry against him exparte and further action will be proceeded based on the material available.

6. The attention of Sri M. Sivaramaiah, Selection Grade Secretary, A.M.C., Guntur is invited to rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri M. Sivaramaiah, Selection Grade Secretary, A.M.C., Guntur is aware of such representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PANKAJ DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M. Sivaramaiah, Selection Grade Secretary, AMC, Guntur
(Through : The Commissioner and Director of Agricultural Marketing, A.P., Hyderabad)

Copy to:-
The Commissioner and Director of Agricultural Marketing, A.P., Hyderabad.
(with a requested to serve the copy and send dated acknowledgment)
Sc/Sf.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI M. SIVARAMAIAH, SELECTION GRADE SECRETARY, A.M.C., GUNTUR

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Article of Charge-I: “That Sri M. Sivaramaiah, while working as Selection Grade Secretary, Agricultural Market Committee, Guntur has failed to perform his legitimate duties as he has not inspected the business premises of M/s. Kusuma Haranath Cold Storage Pvt. Ltd., Guntur and not verified the records maintained by it, till it was detected by the Vigilance & Enforcement Department. On verification, it is found that 2613.48 tonnes of Dry Chillies worth Rs.6,62,05,800/- kept in the Cold Storage Godown were sent to outside the State of Andhra Pradesh by manipulating the records and showing it by way of consignment sales during the year 2004-05 evading payment of market fees to a tune of Rs.6,62,058/- to the A.M.C., Guntur, which caused loss to the A.M.C., Guntur. Thus, this clearly shows his gross negligence and dereliction in performing his legitimate duties and thereby violated Rule 3 of A.P.C.S. (Conduct) Rules, 1964”.

Basis: The Vigilance & Enforcement Department vide its Alert Note No.41(1231/V&E/D3/06), dt.27-02-2007 informed that on verification, it was found that 2613.48 tonnes of Dry Chillies worth Rs.6,62,05,800/- kept in the business premises of M/s. Kusuma Haranath Pvt. Ltd., Guntur were sent to outside the State of Andhra Pradesh by manipulating the records and showing it by way of consignment sales during the year 2004-05 evading payment of market fees to a tune of Rs.6,62,058/- to the A.M.C., Guntur, which caused loss to the A.M.C., Guntur. Thus, this clearly shows his gross negligence and dereliction in performing his legitimate duties.

Article of Charge-II: “That Sri M. Sivaramaiah, while working as Selection Grade Secretary, Agricultural Market Committee, Guntur has failed to visit the business premises of M/s. Kusuma Haranath Cold Storage Pvt. Ltd., Guntur and failed to verify the records maintained by it, paving the way for the above Cold Storage Unit to issue receipts in the benami name of farmers and pledging the produce in M/s. Karur Vysya Bank, Guduwada and Agricultural loans for a total amount of Rs.3.50 crores in the name of farmers. Though the chilly stock shown to have been pledged in favour of the Bank, but the stocks were withdrawn and sent to other States for sale. Thus this shows his gross negligence and dereliction in performing his legitimate duties and thereby violated Rule 3 of A.P.C.S. (Conduct) Rules, 1964”

Basis: The Vigilance & Enforcement Department vide its Alert Note No.41(1231/V&E/D3/06), dt.27-02-2007 informed that on verification, it was found that Sri M. Sivaramaiah, Selection Grade Secretary, A.M.C., Guntur has failed to visit the business premises of M/s. Kusuma Haranath Cold Storage Pvt. Ltd., Guntur and failed to verify the records maintained by it, paving the way for the above Cold Storage Unit to issue receipts in the benami name of farmers and pledging the produce in M/s. Karur Vysya Bank, Guduwada and Agricultural loans for a total amount of Rs.3.50 crores in the name of farmers. Though the chilly stock shown to have been pledged in favour of the Bank, but the stocks were withdrawn and sent to other States for sale. Thus this shows his gross negligence and dereliction in performing his legitimate duties.

**PANKAJ DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT**

// FORWARDED :: BY ORDER //

SECTION OFFICER

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ANNEXURE-II

LIST OF DOCUMENTS ON THE BASIS OF WHICH THE ARTICLE OF CHARGES
FRAMED AGAINST SRI M. SIVARAMAIAH, SELECTION GRADE SECRETARY,
A.M.C., GUNTUR ARE PROPOSED TO BE SUSTAINED

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Alert Note No.41(1231/V&E/D3/06), dated:27-02-2007 of the Vigilance &
Enforcement Department.

**PANKAJ DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT**

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-III

LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST
SRI M. SIVARAMAIAH, SELECTION GRADE SECRETARY, A.M.C., GUNTUR
ARE PROPOSED TO BE SUSTAINED

--Nil--

**PANKAJ DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT**

// FORWARDED :: BY ORDER //

SECTION OFFICER